Docket No. 244950US8 3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Daniel MADDUX

SERIAL NUMBER: 10/733,442 ATTN: APPLICATION BRANCH

FILING DATE: Dec

December 12, 2003

FOR:

PERFORMANCE ASSESSMENT SYSTEM AND ASSOCIATED METHOD OF

INTERACTIVELY PRESENTING ASSESSMENT DRIVEN SOLUTION

FILING OF DECLARATION UNDER 37 CFR 1.53(f)

COMMISSIONER FOR PATENTS ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the notification dated March 19, 2004, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Rule 63 Declaration.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

Bradley D. Lytle

Registration No. 40,073

Joseph A. Scafetta, Jr. Registration No. 26, 803

Customer Number

22850

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Declaration, Power of Attorney and Petition

WE (I) the undersigned inventor(s), hereby declare(s) that:

My residence, post office address and citizenship are as stated below next to my name,

We (I) believe that we are (I am) the original, first and joint (sole) inventor(s) of the subject matter which is

claimed and for w	nich a patent is sou	ght on the invention e	ntitled		J			
	E ASSESSMENT S SSESSMENT DRI	SYSTEM AND ASSO VEN SOLUTION	CIATED METH	OD OF INTER	ACTIVE	LY		
the specification o	f which							
	is attached hereto.							
\boxtimes	was filed on De	cember 12, 2003	as					
	Application Serial	No. 10/733,442						
	and amended on							
	was filed as PCT in	nternational applicatio	n					
	Number			_				
	on			_,				
	and was amended t	inder PCT Article 19						
	on	(if app	olicable).					
		ave reviewed and und any amendment referre		tents of the abov	e-identif	ied spe	ecific	ation
		disclose information l Code of Federal Regu		erial to the paten	ıtability o	of this a	applio	cation
for patent or inver- country other than application for pate	ntor's certificate, of the United States, ent or inventor's ce	ty benefits under 35 to §365(a) of any PC listed below and havertificate, or PCT Integed. Prior Foreign App	T International are also identified rnational applica	application which below, by chec	h design king the	ated a box, a	t leas iny fo	st one oreign
Application N	No.	Country	Day/M	Ionth/Year			ority med	
						Yes		No
····						Yes		No

We (I) hereby claim the benefit und application(s) listed below.	der Title 35, United States C	ode, §119(e) of any United States provisiona
60/432,993	De	cember 13, 2002
60/432,993 (Application Number)		(Filing Date)
60/494,791	A	august 14, 2003
(Application Number)		(Filing Date)
the claims of this application is not discle provided by the first paragraph of 35 U.S	osed in the prior United States .C. §112, I acknowledge the which became available bet	ow and, insofar as the subject matter of each of PCT International application in the manner luty to disclose information which is material tween the filing date of the prior application and Status (pending, patented,
••	-	abandoned)
And we (I) hereby appoint the follo	Customer Number):
as our (my) attorneys, with full powers o business in the Patent Office connected	Customer Number 22850 f substitution and revocation,	to prosecute this application and to transact al
as our (my) attorneys, with full powers o business in the Patent Office connected	Customer Number 22850 f substitution and revocation, therewith; and we (I) hereby	to prosecute this application and to transact al
as our (my) attorneys, with full powers o business in the Patent Office connected	Customer Number 22850 f substitution and revocation, therewith; and we (I) hereby	to prosecute this application and to transact al request that all correspondence regarding this
as our (my) attorneys, with full powers o business in the Patent Office connected application be sent to We (I) declare that all statements ma on information and belief are believed to willful false statements and the like so m Title 18 of the United States Code and the	Customer Number 22850 f substitution and revocation, therewith; and we (I) hereby Customer Number 22850 de herein of our (my) own k be true; and further that these hade are punishable by fine o	to prosecute this application and to transact al
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Date